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| 10/726,023      | 12/02/2003  | Ken Tanzillo         | 384.7854USU         | 2672             |

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| EXAMINER |
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NGUYEN, NGA B

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| ART UNIT | PAPER NUMBER |
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3628

DATE MAILED: 04/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/726,023

Applicant(s)

TANZILLO ET AL.

Examiner

Nga B. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This Office Action is the answer to the communication filed on December 2, 2003, which paper has been placed of record in the file.
2. Claims 1-24 are pending in this application.

### ***Claim Rejections - 35 USC § 101***

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 15-24 are rejected under 35 U.S.C 101 because the claimed invention is directed to non-statutory subject matter.

The claims, as presently claimed and best understood were reconsidered in light of the "Examination Guidelines for Computer-Related Inventions" and were found to be non-statutory. Discussion of the analysis of the claims under the guidelines follows.

As to claims 15-24, the claimed invention is not implemented on a specific apparatus, therefore, the invention is not directed to the technological arts. To be statutory, the utility of an invention must be within the technological arts. The definition of "technology" is the "application of science and engineering to the development of machines and procedures in order to enhance or improve human conditions, or at least to improve human efficiency in some respect." (Computer Dictionary 384 (Microsoft Press, 2d ed. 1994)). When one looks to the present specification to determine what the applicant has invented, the invention appears to be implemented on the computer.

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Thus, it is clear that the claimed invention are intended to be directed to the abstract method apart from the apparatus for performing the method.

Therefore, claims 15-24 are non-statutory, because they are directed solely to the abstract method apart from the apparatus without practical application in the technological arts.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-7 and 11-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Land et al (hereinafter Land), U.S. Patent No. 6,847,942.

Regarding to claim 1, Land discloses a system for assessing risk, comprising:

a user interface to receive requests and customer account information to be stored in a portfolio in a first database (column 4, lines 30-67; centralized database 94 containing a variety of information relating to clients and their customers);

a risk assessment manger that provides application functions and services based on said requests (column 7, line 17-column 8, line 35, Credit Inquiry Module 190 involves credit evaluation);

a data integration component that provides access to at least a second database (column 7, line 63-column 8, line 6; e.g. electronically interface with Dun & Bradstreet or other credit reporting agencies for searching and identifying a customer); and

a corporate linkage component that provides information used in determining a total risk exposure based on said portfolio (column 12, lines 43-50).

Regarding to claim 2, Land further discloses wherein said risk assessment manager comprises: a scoring component that provides a risk score based on said portfolio (column 7, lines 40-45; credit scoring software).

Regarding to claim 3, Land further discloses wherein said risk assessment manager comprises: a transfer component to import and export data to and from said first database (column 13, lines 34-45, export data from first database by displaying customer information; column 15, lines 48-60, import data to first database by updating customer information).

Regarding to claim 4, Land further discloses where said data integration component enhances said customer account information, provides entity matching for said customer account information, and/or provides data products (column 13, lines 45-60; ARS 10 reviews individual accounts on an exception basis).

Regarding to claim 5, Land discloses a system for assessing risk, comprising:  
a portfolio analysis component that analyzes a portfolio of customer accounts and provides a data product containing a financial profile based on said portfolio (column 6, lines 30-47); and

a common decisioning component that provides a credit decision based on said portfolio and user-defined rules and/or policies (column 7, lines 45-62).

Regarding to claim 6, Land further discloses wherein said common decisioning component comprises: a setup component that receives said user-defined rules and/or policies (column 7, lines 18-40).

Regarding to claim 7, Land further discloses a configuration console component that provides administrative functions and security; wherein said administrative functions include an import function, an export function; and/or a score calculating function (column 15, line 62-column 16, line 5; column 7, lines 40-45).

Regarding to claim 11, Land discloses a machine-readable medium having instructions stored therein for performing a method of assessing risk, said method comprising'.

receiving customer account information (figure 18 and column 13, lines 33-45; ARS 10 displays customer information sorted by customer number);

creating a portfolio based on said customer account information by applying at least one step selected from the group consisting of: entity matching, applying unique corporate identifiers, applying corporate linkage information, and applying predictive indicators (column 13, lines 45-60; ARS 10 reviews individual accounts on an exception basis);

providing a customer base analysis of said portfolio (column 13, lines 45-60; reviewing customer's account, payment status, pay history, days to pay statistics, Dun & Bradstreet on-line interface information, etc.);

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providing a risk score for at least one customer in said portfolio (column 13, lines 40-41; a Dun & Bradstreet rating 776 or a risk code 778); and

providing an account profile for said at least one customer (column 13, line 60-column 14, line 17).

Regarding to claim 12, Land further discloses comprising providing financial data about said portfolio in a selected currency (column 9, lines 25-43).

Regarding to claim 13, Land further discloses providing days sales outstanding information for said at least one customer in said portfolio (figure 18 and column 13, lines 34-45; e.g. a date of last sale 782, the year-to-date sales 784; the unshipped orders 786).

Regarding to claim 14, Land further discloses wherein said account profile includes a financial statement (column 7, line 63-column 8, line 6; financial statements 270).

Regarding to claim 15, Land discloses a method of assessing risk, which comprises:

enhancing data in a portfolio of customer accounts by a quality assurance process (column 7, line 45-column 53; performing a credit check for an existing customer account through Credit Inquiry Module 190);

receiving and enforcing at least one user-defined policy (column 8, lines 45-50; e.g. Order Control Limit; column 7, lines 40-45; credit scoring);

providing automated credit decisioning for at least one customer based on

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said at least one user-defined rule and said at least one user-defined policy (column 7, lines 44-50; automatically approves customer order if the amount of order is less than or equal to the Order Control Limit);

providing days sales outstanding for said at least one customer in said portfolio (figure 18 and column 13, lines 34-45; e.g. a date of last sale 782, the year-to-date sales 784; the unshipped orders 786); and

providing risk information for said at least one customer in said portfolio (figure 18 and column 13, lines 34-45; e.g. a Dun & Bradstreet rating 776, a risk code 778).

Regarding to claim 16, Land further discloses segmenting said portfolio by a selected variable to uncover risks and opportunities in said portfolio (column 8, lines 17-27).

Regarding to claim 17, Land further discloses wherein said risk information includes a total risk exposure within a corporate entity associated with said at least one customer (column 7, lines 63-65; Dun & Bradstreet reports 250 and/or other credit reporting agencies).

Regarding to claim 18, Land further discloses wherein said quality assurance process includes at least one step selected from the group consisting of: entity matching, applying unique corporate identifiers, applying corporate linkage information, and/or applying predictive indicators (column 7, line 63-column 8, line 6; applying corporate linkage information, e.g. electronically interface with Dun & Bradstreet or other credit reporting agencies for searching and identifying a customer).



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Regarding to claims 19-21, Land further discloses providing a financial profile of said at least one customer in said portfolio, wherein said financial profile includes how said at least one customer pays other companies, financial profile includes a financial statement for said at least one customer (column 7, line 63-column 8, line 6; Dun & Bradstreet reports 250; other credit reporting agencies 254; financial statements 270).

Regarding to claim 22, Land further discloses receiving a change in a financial statement for said at least one customer; and assessing a risk change in said portfolio based on said change in said financial policy according to said at least one user-defined rule and at least one user-defined policy (column 12, lines 44-50).

Regarding to claim 23, Land further discloses wherein said policy is selected from the group consisting of: a credit limit policy, a score policy, an exception policy, a collection policy, a selling term policy, and a financial selection policy (column 8, lines 44-50, Order Control Limit; column 7, lines 40-45, credit scoring).

Regarding to claim 24, Land further discloses providing a currency conversion feature; providing a local currency for said at least one customer in said portfolio; and assigning a default currency for said at least one customer in said portfolio (column 9, lines 25-43).

### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Land et al (hereinafter Land), U.S. Patent No. 6,847,942.

Regarding to claims 8-10, Land further disclose determining a base currency for said customer in said portfolio (column 9, lines 25-43). Land does not disclose a country logic component that determines a base language for said customer in said portfolio; a database access component that retrieves country specific data from a plurality of systems, wherein said plurality of systems are selected from the group consisting of: European Office System, Canada Bilingual Office System, United States Advanced Office Systems, Nordic, and Asian Pacific Latin America. However, determining a base language for customer and retrieving country specific data from such a plurality of system above are well known in the art. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify Land's adopt the well known features above for the purpose of providing more convenient to customer when accessing customer's account information.

### ***Conclusion***

9. Claims 1-24 are rejected.

10. The prior arts made of record and not relied upon is considered pertinent to applicant's disclosure:

Basch et al (US 6,658,393) disclose a system and method for predicting financial risk.

Spitz et al (US 6,783,065) disclose a method for quantifying risk of fraud associated with a purchasing card transaction.

Gopinathan et al (US 6,330,546) disclose an automated system and method detects fraudulent transaction using a predictive model.

Prendergast et al (US 6,651,884) disclose a system and method for selectively processing information to reissue cards to cardholders. The method includes assigning scores to cardholder accounts.

Keyes et al (US 6,456,983) disclose a system and method for evaluating an offer which has been made in relation to certain delinquent accounts.

Duhon (US 6,311,169) discloses a consumer credit information database controlled by a computerized system for storing current consumer credit information, as well as historical credit data information.

Walker et al (US 6,088,686) discloses a user-friendly on-line computerized system operates in real-time thus streamlining the processing of applications for products and services offered by a financial institution.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Nga B. Nguyen whose telephone number is (571) 272-6796. The examiner can normally be reached on Monday-Thursday from 9:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on (571) 272-6799.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 306-1113.

12. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

C/o Technology Center 3600

Washington, DC 20231

Or faxed to:

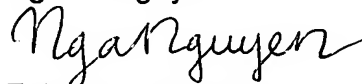
(703) 872-9306 (for formal communication intended for entry),

or

(703) 308-3691 (for informal or draft communication, please label "PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, Seventh Floor (Receptionist).

Nga B. Nguyen



February 18, 2005